

Attachment 2: Eligible Applicant Documentation

Attachment 2 consists of the following:

✓ **Letter from Contra Costa Water District Documenting Eligibility**

September 27, 2010 letter from Contra Costa Water District documenting its eligibility as an applicant for submitting this Prop 84 Planning Grant application.

✓ **1936 Enabling Act**

Copy of the 1936 Enabling Act documenting the legal authority under which Contra Costa Water District was formed and is authorized to operate.



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September 27, 2010

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SUBJECT: Proposition 84 Planning Grant Application, Attachment 2

To Whom It May Concern,

Contra Costa Water District (CCWD) is the organization submitting a Proposition 84 Integrated Regional Water Management Planning Grant proposal on behalf of the East Contra Costa County IRWM Planning Region. To that end, CCWD has prepared this following written statement to address the questions posed under Attachment 2 of the *Proposition 84 Integrated Regional Water Management Proposal Solicitation Package for Planning Grants, Round 1* as published by the California Department of Water Resources in August 2010.

**Q1: Is the applicant a local agency as defined in Appendix B of the Guidelines?
Please explain.**

Yes, CCWD is a local agency as defined in Appendix B of the Guidelines. CCWD is a special district formed in 1936 and is therefore considered a public agency.

Q2: What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?

CCWD was formed under the provisions of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." This act was later incorporated in the State Government Code §16271[d]. Please see the attached copy of the 1936 Enabling Act forming CCWD.

Q3: Does the applicant have legal authority to enter into a grant agreement with the State of California?

As previously mentioned, CCWD is a special district. As such, it has the same legal authority as that granted to many cities and counties. Specifically, CCWD can enter

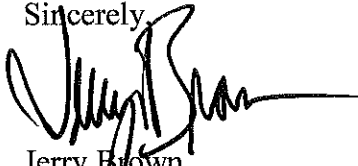
into contracts and agreements, employ workers, acquire real property through purchase or eminent domain, issue debt and charge fees for its services.

Q4: Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking funds?

CCWD is part of the East County Water Management Association (ECWMA). There is an agreement among ECWMA participating agencies identifying CCWD as the lead agency with the responsibilities for contracting with consultants, ensuring project performance, and tracking funds.

Please contact Ms. Marie Valmores at (925) 688-8132 if you have any questions.

Sincerely,



Jerry Brown
General Manager

JB/MV/rlr

Attachment



STATE OF CALIFORNIA

Department of State

I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that on the 9th day of May, 1936, there was filed in this office a certificate of the County Clerk of the County of Contra Costa, state aforesaid, showing the adoption of a proposition to organize and incorporate the

CONTRA COSTA COUNTY WATER DISTRICT

under the provisions of an act entitled, "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved June 10, 1913, and subsequent amendments thereto.

And it appearing from said certificate that said proposition was adopted in the manner required by said act, now therefore I do hereby certify that

CONTRA COSTA COUNTY WATER DISTRICT

has been duly incorporated according to law and the laws of the State of California.



IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of California to be affixed hereto this 9th day of May, A.D. 1936.

FRANK C. JORDAN
Secretary of State

By Frank C. Jordan
Assistant Secretary of State